IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FAMILY COURT APPEAL NO. 90 OF 2004

Mrs. Korobi Dhruba Saikia ..Appellant.

V/s.

Dr. Dhruba Jyoti Saikia ..Respondent.

Mrs. Karobi D.Saikia is absent.
Ms. Seema Sarnaik for the Respondent.

CORAM : S.B.MHASE & D.B.BHOSALE,JJ.
DATED : APRIL 11, 2005

PC :-

. This matter is listed on board today for admission. We have perused the earlier orders passed in this matter and more specifically the order passed by this court on 9th February, 2005 in Civil Application No. 46/2005 in F.C.Appeal No. 90/2004. It appears that since thereafter, the learned counsel Shri A.V.Anturkar got discharged from the matter. The wife, the appellant herein, appeared only once in the court and sought time. Thereafter, by telegram dated 04.04.2005, the appellant -wife informed her inability to attend the court, therefore, the matter was adjourned for today. Today also the appellant -wife is absent. It is further to be noted that decree

under challenge is a decree of divorce and respondent has remarried after the period for appeal was over. We find that the appellant wife is not interested in prosecution of the appeal.

. For all these reasons, we dismiss this appeal for non-prosecution.

(D.B.BHOSALE, J) (S.B.MHASE,J)

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spb/-